

FISCAL NOTE

SB 2434 - HB 3081

January 26, 2004

SUMMARY OF BILL: Allows a furnisher of labor or materials, or laborer, to give written notice of the work done, to a contractor who executed a surety bond or a public official who had charge of letting or awarding of the public contract, which can be mailed by *return receipt certified mail* instead of by registered mail.

Present law requires a furnisher of labor or materials, or laborer, after such labor or material is furnished, or such labor is done, and within 90 days after the completion of such public work, *give written notice by return receipt registered mail*, or by personal delivery, either to the contractor who executed the bond, or to the public official who had charge of the letting or awarding of the contract. Such written notice shall set forth the nature, an itemized account of the material furnished or labor done, and the balance due and a description of the property improved. In the case of public work by any county, notice delivered to the county executive shall be deemed sufficient. In the case of public work by the state, notice to the Governor shall be deemed sufficient.

T.C.A. 1-3-111 currently states that certified mail may be used instead of registered mail whenever the law requires a notice to be given by registered mail.

ESTIMATED FISCAL IMPACT:

MINIMAL

Assumes any required written notice currently being mailed by registered mail by the furnisher of labor or material, or such laborer, to the contractor or public official, may currently be sent by certified mail. It is estimated that this bill will have minimal fiscal impact on state and local governments.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



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James W. White, Executive Director

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